

**HDCB/Issue 7**

**STATEMENT BY  
HORSHAM DISTRICT AND  
CRAWLEY BOROUGH COUNCILS**

**ISSUE 7**

**Chapters 6 and 7: The Longer Term Approach; Monitoring  
and Implementation**

**HORSHAM DISTRICT AND CRAWLEY BOROUGH LOCAL  
DEVELOPMENT FRAMEWORKS**

**WEST OF BEWBUSH JOINT AREA ACTION PLAN DEVELOPMENT  
PLAN DOCUMENT**

**JANUARY 2009**



## ISSUE 7: Chapters 6 and 7: The Longer Term Approach; Monitoring and Implementation

### 1. Introduction

- 1.1 This Statement relates to Issue 7 and the justification for the Councils' decision to include these policies, reasoned justification and supporting chapters, both in terms of their objectives and the specific wording, within the submission West of Bewbush Joint Area Action Plan (JAAP).
- 1.2 A number of issues relating to these policies, reasoned justification and supporting chapters were raised in the original representations on the submission JAAP. Subsequently, the Inspector has identified main matters and questions for Examination.

### 2. Main Matters

- 2.1 There are several main matters and questions raised in the Inspector's Issues for Examination. Fundamentally, the Inspector asks **'Whether further land should be allocated for housing or other uses, beyond those set in the time horizon of the present Core Strategies; and whether the mechanism in the JAAP for implementation and monitoring are sufficiently clear, detailed, and meet Government requirements'**. This section sets out the relevant questions and the Councils' responses.

Are the issues set out in Chapter 6 appropriate for the JAAP? Should not these matters, apart from the Policy Context, be left to the Core Strategy reviews?
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- 2.2 The Councils consider that it is essential that the JAAP has regard to the longer term as defined in paragraph 6.5 of the JAAP. The JAAP's policies should not prejudice the Councils' Core Strategy reviews, particularly in terms of examining all the options and alternatives of accommodating further strategic development 'at Crawley', including elsewhere West and North West of Crawley. Consequently, the Councils believe that WB 28 is an important JAAP policy for not prejudicing longer term planning and the Councils' Core Strategy reviews.
- 2.3 The JAAP includes a comprehensive section (paragraphs 6.6 – 6.15 and 6.20) outlining the longer term context, as it was at Submission in May 2008. The section addresses the South East Plan, the North East Sector, Gatwick and BAA, Mid Sussex District Council's Core Strategy and proposals for the River Mole. The Councils felt it was important to comprehensively outline the longer term context to provide an understanding and background to the longer term policy approach. It was also considered that it demonstrated to key stakeholders that the JAAP had not been formulated in isolation and wider issues, longer term planning and different stakeholders' perspectives had informed the JAAP.
- 2.4 Since submission the longer term context section (paragraphs 6.6 – 6.15 and 6.20) has naturally become dated and requires considerable updating. Of

course, this will always be the case for matters included in DPD that reflect a position in time, particularly those that are influenced by external factors, decisions and stakeholders. The Councils consider the longer term context section (paragraphs 6.6 – 6.15 and 6.20) served its purpose at submission, but would add little to the adopted JAAP. Furthermore, the Councils believe that it would not be ideal to include paragraphs of context that would become dated soon after adoption. Particularly, as the Councils are of the view that paragraphs 6.16 to 6.19 and Policy WB 28 reflect the longer term approach appropriately and include sufficient reference to the matters referred to in the longer term context section (paragraphs 6.6 – 6.15 and 6.20).

- 2.5 Therefore, to reflect the above, the Councils are proposing the deletion of the longer term context section (paragraphs 6.6 – 6.15 and 6.20) and factual amendments to paragraphs 6.1, 6.16 and 6.18.
- 2.6 However, if it were considered that the longer term context section would complement the adopted JAAP the paragraphs can be updated accordingly.

In ¶ 6.16, surely any further development to the west of Crawley could not be achieved through a JAAP review, but rather through the Core Strategies as per WB 28?

- 2.7 The Councils believe that with the publication of PPS12: Local Spatial Planning 2008 (CDNat6b), post submission of the JAAP, the context to paragraph 6.16 has changed. PPS12 (CDNat6b) paragraph 4.6 has introduced the ability for Councils to allocate strategic sites in Core Strategies. Notwithstanding that both Councils allocated strategic sites in their adopted Core Strategies, the ability to allocate strategic sites in Core Strategies is a fundamental change from the previous PPS12 (CDNat6a), which did not advocate the allocation of strategic sites in Core Strategies. In essence, it should be acknowledged that the submission JAAP was formulated in the context of PPS12 2004 (CDNat6a).
- 2.8 Therefore, at the time of submission of the JAAP it was envisaged that if the Councils were to pursue further strategic development West and North West of Crawley the most appropriate manner to facilitate development would be for the Core Strategies to include a revised area of study and the JAAP to be reviewed. This approach would of course equate to a replication of the process which has facilitated the formulation of the West of Bewbush JAAP.
- 2.9 However, with the introduction of the ability to allocate strategic sites in Core Strategies it is considered that the Councils are now likely to pursue a different approach if further development West and North West of Crawley were considered appropriate through their Core Strategy reviews. It is feasible that a strategic development location could be allocated elsewhere West and North West of Crawley and a separate JAAP produced to supplement the allocation. It is likely that the Councils would pursue a separate JAAP on the basis of the cross boundary issues, that the allocation could emerge from HDC Core Strategy solely and the mechanism established

for JAAP formulation have facilitated political influence, stakeholder engagement and the timely formulation of the JAAP.

- 2.10 To reflect the publication of PPS12: Local Spatial Planning 2008 (CDNat6b) changes to paragraph 6.16 are proposed as part of this statement.
- 2.11 Notwithstanding the above, if it were considered that further development not of a strategic scale should be accommodated within the JAAP area or within the vicinity of West of Bewbush a partial review of the JAAP may be required. Furthermore, if strategic development were to occur elsewhere West and North West of Crawley and have a direct impact on the West of Bewbush JAAP then a partial review may again be required. At this stage, with the Core Strategy reviews in their infancy it is not possible to quantify what circumstances, or scale of development may trigger the requirement for a partial JAAP review.

Is there a need for WB 28? Both statements in it are factual.

- 2.12 The Councils consider that there is a clear requirement for Policy WB 28. It is essential that the Councils' Core Strategy reviews are not prejudiced in terms of examining all the options and alternatives for accommodating the South East Plan's development requirements at a local and sub regional level. The Councils believe that not including this policy approach would diminish the Councils' ability to ensure that development West of Bewbush occurs in a manner that does not prejudice the potential longer term development of elsewhere West and North West of Crawley.
- 2.13 Furthermore, the Area of Study West and North West of Crawley, particularly west of Ifield is consistently promoted to the Councils for accommodating strategic development and will continue to be promoted through the Core Strategy reviews. On this basis, Policy WB 28 provides a longer term policy context and planning certainty to those with an interest in West and North West of Crawley. Policy WB28 should ensure that their ability to promote their interests will not be prejudiced by development West of Bewbush.
- 2.14 The Councils acknowledge that Policy WB 28 is largely factual, but believe for the reasons outlined above the policy should remain in the JAAP to ensure longer term planning objectives and the Councils' Core Strategy reviews are not prejudiced.

Has the advice set out in the *LDF Monitoring: Good Practice Guide* been applied in Chapter 7? (The key test is whether sufficient information is provided to assess policy implementation and its significant effects, having regard to available resources – paragraph 4.28 of the *Good Practice Guide*)

- 2.15 The Councils can confirm that the relevant advice was applied when drawing up the monitoring framework. It is considered that there are sufficient indicators and targets to ensure that the policy implementation and significant effects of the JAAP can be effectively monitored. Equally, it is the intention of both Councils to integrate the JAAP indicators and targets within existing LDF

monitoring frameworks. This has allowed a reduction in the number of new indicators and targets by avoiding duplication with those already established in LDF frameworks. As set out in paragraph 7.3 of the JAAP, the monitoring framework including both the specific JAAP indicators and those pre-existing and more general indicators will provide sufficient information for effective monitoring.

Are SMART targets/outcomes identified in Chapter 7?
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- 2.16 The intention has been to ensure that the targets/outcomes detailed in the monitoring framework in Chapter 7 are 'SMART' as defined in Annex C of *LDF Monitoring: Good Practice Guide*. Nevertheless, it is acknowledged that some of the targets identified within the JAAP Submission Document failed to establish time-limitations whilst in other cases the measurability of the targets was questionable. These issues are covered in the suggested changes to the monitoring framework in addition to other changes which are of a consequential nature. For clarity, the identification numbering of the indicators should be changed as set out in 4.7 to avoid confusion with JAAP policy numbers.

### **3.0 Responses to the matters raised by original representations**

- 3.1 The Councils do not wish to respond to specific representations relating to Issue 7.

## **4 Proposed changes to the JAAP**

- 4.1 The Councils therefore propose the following wording changes to the JAAP for consideration by the Inspector.

- 4.2 ~~6.1 ...However, the Inspectors' Reports into both Core Strategies outlined a requirement for the Councils to undertake early reviews of their Core Strategies. These early Core Strategy reviews are already programmed and form part of the Councils' current Local Development Schemes. As a consequence, it is anticipated that Horsham District Council's and Crawley Borough Council's replacement Core Strategies will be adopted by the end of 20101 and mid 20142 respectively.~~

### **4.3 ~~The Longer Term Context~~**

~~6.6 With regard to the longer term context, the sub region (and consequently the Area of Study) is currently subject to a number of uncertainties. The main uncertainties are considered to be the Draft South East Plan, the Crawley North East Sector, the potential requirement for a second runway at Gatwick, the emerging Mid Sussex District Council Core Strategy and the Environment Agency's River Mole Strategy.~~

#### **South East Plan**

~~6.7 The South East Plan was submitted to the Secretary of State in March 2006, and the Examination into the Plan concluded in March 2007. The Panel Report was published in August 2007, in light of which the Secretary of State's proposed modifications are anticipated to be published in July 2008, with adoption of the plan anticipated by the end of 2008. To date, the timetable for the adoption of the South East Plan has been subject to delay, consequently the programme for the Councils' Core Strategies Reviews have had to have regard to this. The Panel Report proposed that the annual housing requirement for Horsham District of 620 (net) dwellings per annum should be increased to 650 (net) dwellings and also concluded that for Crawley Borough the figure should be increased from 350 dwellings (net) per annum in draft South East Plan to 375 (net) dwellings per annum. The Secretary of State's proposed modifications may alter these figures further, or potentially the spatial strategy for delivery, which means in the absence of a definitive position through an Adopted South East Plan, no sub-regional strategy of any weight can be formulated. This compounds the fact that the appropriate approach to addressing the South East Plan's development requirements is through the Councils' Core Strategy reviews, based upon a sub-regional evidence base.~~

### **North East Sector**

~~6.8 The North East Sector (NES) is a Strategic Development Location within Crawley Borough that was originally identified in the 1993 West Sussex Structure Plan and then again in the 2001 West Sussex Structure Plan. It was identified in the 2000 Crawley Borough Local Plan and is retained in the Crawley Borough Core Strategy. The retention of the Strategic Development Location in the Core Strategy is conditional on a second runway not being required at Gatwick; and therefore, the neighbourhood being able to be satisfactorily brought forward in terms of noise exposure and achieving the requirements of the neighbourhood principle. This Core Strategy policy context relating to the NES is the subject of a Core Strategy High Court challenge submitted in January 2008, which the Council is contending.~~

~~6.9 In late 2006 a Planning Inquiry for 1900 homes at the NES was conducted. In light of the Inspector's report, the Secretary of State concluded the noise shadow of a second runway would create an unsuitable living environment and at that time sufficient housing land supply existed. The Secretary of State published the Decision Letter in May 2007 and a High Court challenge to this decision was submitted in June 2007. The Secretary of State is contending this challenge.~~

~~6.10 The uncertainty regarding the requirement for a second runway at Gatwick, means that the NES is likely to remain undelivered for some considerable time, particularly as the Government are yet to provide a clear steer regarding when a definitive decision regarding the requirement for a second runway at Gatwick will be forthcoming. As further context, Crawley Borough Council in responding to the submitted South East Plan indicated that the Borough would only be able to meet its development requirements in the longer term (post 2018) with the availability of the NES.~~

~~6.11 The uncertainty regarding whether the NES will be able to make a contribution to Crawley meeting its South East Plan development requirement is set to continue for some considerable time. Crawley Borough Council's Core Strategy review will bring forward a revised policy approach for the NES, if required, in light of any outcomes from the above.~~

## **BAA**

~~6.12 BAA published its Interim Masterplan for Gatwick in November 2006. The Masterplan retained the option of a second runway at Gatwick in accordance with the Aviation White Paper. Development of a second runway at Gatwick is largely dependant on the Government's ability to deliver further runways at Heathrow and Stanstead, which are the Government's favoured locations for airport expansion. There is little certainty regarding when a definitive decision regarding the requirement of a second runway at Gatwick will be forthcoming. Therefore, the current climate of uncertainty is likely to continue for some considerable time.~~

~~6.13 The implications the BAA Interim Masterplan has for the NES, Crawley Borough and the sub region are outlined above. With regard to West and North West of Crawley the uncertainty has greatest implications for the northern element of the Area of Study. Firstly, the most northern portion of the Area of Study north of Langley Green is safeguarded under Crawley Borough Council Core Strategy Policy G2: Safeguarding, which prevents development within the safeguarded area that would not be compatible with the delivery of a second runway. Secondly, in accordance with both Councils' policies regarding the upper limit of noise exposure for residential development (60dBA) a northern portion of the Area of Study is considered unsuitable for residential development as a consequence of the extent of the potential noise shadow of second runway.~~

## **Mid Sussex**

~~6.14 Mid Sussex District Council are bringing forward their Core Strategy, which is examining the opportunities for contingency strategic development on the eastern side of Crawley. The key uncertainties are whether development on the eastern side of Crawley will emerge favourably through the latter stages of the formulation of the Core Strategy and result in a contingency based policy. Clearly, any reference to development on the eastern side of Crawley needs to be considered in the context of establishing the most appropriate location to accommodate development in the sub region as a whole.~~

## **River Mole**

~~6.15 The final element in outlining the uncertainties is that the Environment Agency are currently finalising a River Mole flood attenuation strategy, which proposes that an area to the west of Ifield should be employed for flood attenuation, which would equate to the area not being available for development. The Environment Agency are proposing to take the strategy to their National Review Group in spring 2008 to gain both development and~~

funding approval for the scheme. If this process is successful more detailed technical and modelling work will be undertaken and negotiations will commence with the respective landowners. Although the Upper Mole Flood Alleviation Scheme is well progressed, the scheme still requires the approval of the National Review Group to facilitate progression to detailed design and subsequent construction. Therefore, the appropriate arena to consider this proposal is through the Councils' Core Strategy reviews.

- 4.4 **6.16** ...If this were to be the case the development would be planned for, and facilitated allocated through Horsham District Council's Core Strategy review, or both Councils' Core Strategy reviews and a further JAAP produced as the best mechanism of addressing cross boundary issues, particularly timely delivery and ensuring democratic involvement a Joint Area Action Plan review. This A Core Strategy allocation and a further Joint Area Action Plan review will be assisted through this Joint Area Action Plan's policy context in that the masterplanning, design and infrastructure provision of the neighbourhood West of Bewbush will not have prejudiced further development elsewhere within the Area of Study.
- 4.5 **6.18** As a consequence of the pending recent High Court Challenges Judgements relating to the NES and the lack of a definitive decision regarding the requirement for a second runway at Gatwick the uncertainty regarding whether the NES will be able to make a contribution to Crawley meeting its South East Plan development requirements is set to continue for some considerable time. Crawley Borough Council's Core Strategy review will bring forward a revised policy approach for the NES, if required, in light of any Government airport decisions, or the outcome of the re-opened NES Inquiry outcomes regarding the above. Furthermore, it is appropriate that the availability of the NES is considered in the sub regional context in terms of the sub region as a whole meeting its South East Plan Development requirements (as outlined in Crawley Borough Council's Core Strategy Inspector's Report).
- 4.6 **6.20** ~~With regard to Mid Sussex District Council's Core Strategy, it is essential that the formulation takes account fully of the Adopted South East Plan and is formulated in conjunction with adjoining authorities' Core Strategies.~~

#### 4.7 Monitoring Framework

Indicator number	Indicator	JAAP/LDF Policy	Targets by 2018 unless otherwise specified
WC1 (SO1a)	Condition of Landscape Character Areas L1, K2, I2 and K1 of the Landscape Character Assessment	WB 13	<ul style="list-style-type: none"> <li>• Maintain or improve from current conditions</li> <li>• Retain Capon Copse and Pondtail Shaw</li> </ul>
WBC2 1	Changes in Condition of areas designated for their intrinsic environmental value	WB 13 DCLG Core output	<ul style="list-style-type: none"> <li>• Conserve and enhance areas and conditions of House Copse SSSI, Kilnwood Copse Ancient Woodland/SNCI and High Weald AONB</li> </ul>

		indicator	
WC3	Changes in priority species and habitats by type	WB 13 DCLG Core output indicator	<ul style="list-style-type: none"> <li>• <del>Conserve and enhance from baseline populations and conditions</del></li> </ul>
WBC-4 2	Provision of green linkages	WB 15	<ul style="list-style-type: none"> <li>• Implementation of green linkages outlined in the Conceptual Masterplan</li> </ul>
WBC-5 3	Development within identified flood hazard zones	WB 17	<ul style="list-style-type: none"> <li>• No built development within Bewbush Brook flood zone 2</li> </ul>
WBC-6 4	Provision of flood attenuation and SuDS	WB 17	<ul style="list-style-type: none"> <li>• No net increase on pre development surface run-off levels</li> </ul>
WBC-7 5	Housing Density	WB 4	<ul style="list-style-type: none"> <li>• Development to occur at no less than 30 dwellings per hectare <u>within each phase</u></li> </ul>
WBC-8 6	Delivery of educational facilities	WB 20	<ul style="list-style-type: none"> <li>• Provision of <del>a minimum of one</del> primary school <u>places amounting to between 2 and 3 forms of entry</u></li> </ul>
WBC-9 7	Delivery of health facilities	WB 6	<ul style="list-style-type: none"> <li>• Provision of a Primary Health Centre with a minimum of three GP surgeries</li> </ul>
WBC-10 8	Delivery of open space, sport and recreational facilities	WB 19	<ul style="list-style-type: none"> <li>• Provision of open space totalling 15.4 hectares <del>equally divided between informal open space and formal open space</del></li> <li>• <u>Provision equally divided between informal open space and formal open space</u></li> </ul>
WBC-11 9	Delivery of Community facilities	WB 5	<ul style="list-style-type: none"> <li>• A minimum of 700m<sup>2</sup> of indoor community facilities to be located at the Neighbourhood centre</li> </ul>
WC12	Provision of financial contributions for community facilities	WB 5-9, 19 and 20	<ul style="list-style-type: none"> <li>• <del>Securing contributions for community facilities including: health; education; libraries; open space, sport and recreation and community centre</del></li> </ul>
WBC-13 10	Retail land supply	WB 9	<ul style="list-style-type: none"> <li>• Completion of between 1,250 and 2,500m<sup>2</sup> of retail floorspace within the neighbourhood centre</li> </ul>
WBC-14 11	Supply of affordable housing	WB 11	<ul style="list-style-type: none"> <li>• Delivery of <del>a minimum of</del> 40% affordable housing in each phase</li> <li>• Affordable housing delivered within each phase comprising 70% social rented and 30% intermediate tenure housing, <del>subject to Housing Corporation grant availability</del></li> </ul>
WBC-15 12	Mix of affordable homes	WB 11	<ul style="list-style-type: none"> <li>• Affordable housing provision to comprise sizes and types as set out in the Joint Housing Position Statement</li> </ul>
WBC-16 13	Supply of supported (non-general) needs Housing	WB 11	<ul style="list-style-type: none"> <li>• <del>A minimum of</del> 5% of all affordable dwellings to be fully adapted for wheelchair users</li> <li>• <del>A minimum of</del> 20% of affordable dwellings to meet Lifetime Homes Standards</li> </ul>
WBC-17 14	Employment land supply by type	WB 21	<ul style="list-style-type: none"> <li>• Completion of at least 8,000m<sup>2</sup> (<u>gross internal</u>) employment floorspace (B use classes)</li> </ul>

WBC-18 15	Delivery of energy infrastructure	WB 22	<ul style="list-style-type: none"> <li>• Completion of a 'community energy and/or heat system' including a CHP plant and ESCo establishment by 2015/16</li> </ul>
WBC-19 16	Renewable/Low-carbon energy generation capacity installed by type	WB 22	<ul style="list-style-type: none"> <li>• A minimum of 50% of the new neighbourhood's overall (non-transport) annual energy requirements to generated from on-site renewable and low-carbon sources by 2018</li> </ul>
WC20	<del>Renewable/Low carbon Energy (including hot water) generated on site that is consumed off-site</del>	<del>WB 22</del>	<ul style="list-style-type: none"> <li>• <del>Maximise sale of site generated renewable/low-carbon energy to achieve a near net 'zero carbon development' by 2018</del></li> <li>• <del>Potential to achieve full net 'zero carbon development' beyond the plan period</del></li> </ul>
WBC-21 17	Environmental and sustainability performance of buildings	WB 22	<ul style="list-style-type: none"> <li>• All homes completed from 2011 to 2013 to achieve Level 3 or above of the CSH</li> <li>• All homes completed from 2013 to 2016 to achieve Level 4 or above of the CSH</li> <li>• Homes completed after 2016 to achieve a broad mix of Levels 4, 5 and 6 of the CSH</li> <li>• All relevant non-residential development to achieve a mix of 'Very Good' and 'Excellent' levels of BREEAM or equivalent</li> </ul>
WBC-22 18	Delivery of transport infrastructure	WB 26	<ul style="list-style-type: none"> <li>• Delivery of road, cycling, pedestrian, equestrian and public transport infrastructure for each core phase as set out in the Phasing and Delivery chapter</li> </ul>
WBC-23 19	Distance to public transport	WB 26	<ul style="list-style-type: none"> <li>• All residential, employment and community development to be within 400m (5 minute walk) of a bus stop</li> </ul>
WBC-24 20	Landfill remediation	WB 23	<ul style="list-style-type: none"> <li>• Commencement of remediation by mid 2010</li> <li>• Completion of remediation by end 2011/12</li> </ul>
WC25 (SO4c)	Number of dwellings completed in new neighbourhood, west of Crawley	HDC CP6 CBC XXX Chapter 5 of JAAP	<ul style="list-style-type: none"> <li>• 2,500 dwellings by 2018</li> </ul>
WBC-26 21	Annual and phased completion of dwellings	Chapter 5 of JAAP	<ul style="list-style-type: none"> <li>• Average of 357 per year, 2011 to 2018</li> <li>• 600 completed in core phase one by 2013/14, 1050 in core phase two by 2015/16 and 850 in core phase three by 2017/18</li> </ul>

## 5 Conclusion

5.1 It is considered that the responses to the Inspector's questions, coupled with the proposed changes, demonstrate that the JAAP provides sufficiently clear and comprehensive guidance on the JAAP longer term policy approach and monitoring and implementation, which is essential to meet the relevant Tests of Soundness, particularly Tests 4,6,7,8 and 9.